

**Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001**

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OCT 15 2012
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI

October 1, 2012

William K. Suter
Clerk of the Court
(202) 479-3011

Clerk
United States Court of Appeals for the Fifth Circuit
600 S. Maestri Place
New Orleans, LA 70130

Re: Desmond Burnett
v. United States
No. 12-5291
(Your No. 11-60272)

210 CR 27

Dear Clerk:

The Court today entered the following order in the above-entitled case:

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the Fifth Circuit for further consideration in light of Dorsey v. United States, 567 U. S. ____ (2012).

The judgment or mandate of this Court will not issue for at least twenty-five days pursuant to Rule 45. Should a petition for rehearing be filed timely, the judgment or mandate will be further stayed pending this Court's action on the petition for rehearing.

Sincerely,

William K. Suter

William K. Suter, Clerk